

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: NAKASHIMA=6

In re Application of:)	Conf. No.: 3356
)	
Toshihiro NAKASHIMA et al)	Art Unit: 1645
)	
I.A. Filing Date: 03/28/2003)	Examiner: O.A. Ogunbiyi
371(c) Date: 09/28/2005)	
)	Washington, D.C.
U.S. Appln. No.: 10/551,263)	
)	
For: MODIFIED SEB AND)	Monday , March 16, 2009
PROPHYLACTICS/REMEDIES...)	

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop AF
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the non-final rejection (or the rejection of claims for at least the second time), dated June 12, 2008, of the Primary Examiner. The claims appealed are claims 1-21.

The item(s) checked below are appropriate:

_____ Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

XXX \$540.00

_____ \$270.00 (small entity)

_____ Not required (fee paid in prior appeal)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 65.00

[] Second - \$245.00

[] Third - \$555.00

month after time period set

Other Than Small Entity

Response Filed Within

[] First - \$ 130.00

[] Second - \$ 490.00

[XX] Third - \$1110.00

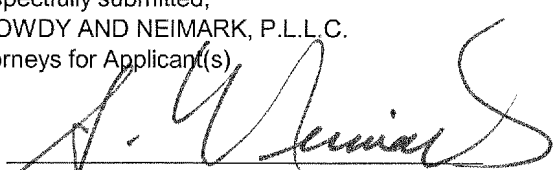
month after time period set

[] Less fees (\$ _____) already paid for __ months extension of time on ____.

XXX Credit Card Payment authorizing the amount of \$ \$1,650.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,
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